**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Public Services – Commercial Tax Department – Surprise check conducted by Anti Corruption Bureau on Border Check Post of Commercial Taxes, Nagalapuram, Chittoor District on 24-02-2010 – Certain irregularities noticed – Charges framed against Sri N.Ravinder, former Assistant Commercial Tax Officer, (Suspected Officer-1) (now Retired) and four (4) others – Inquiry – Disagreement factor communicated – Representation received- Show Cause Notice issued –representation received – Penalty of 5% cut in pension for a period of one year imposed – orders – Issued.

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**REVENUE (VIGILANCE-II) DEPARTMENT**

G.O.Rt.No.251 Dated:08-03-2016

Read the following:

**Ref:-**
1. From DG, ACB, AP, Hyd, Lr.No.6/DES-TCT/10, dt.18-03-2011.
2. Govt.memo No.12036/Vig.I(2)/2011-1, dt.28-05-2011.
3. Charge memo No.B1/192/2010, dated 30-06-2011 of DC,(CT), Chittoor Division (AOCs).
4. Explanation submitted by Sri N.Ravinder, ACTO (Retd.,) dated.23-09-2011.
5. Prog.No.B1/192/2010, dt.25-08-2011 of DC, (CT), Chittoor.
6. Prog.No. B1/192/2010, dt.24-04-2012 of DC, (CT), Chittoor.
7. Rc.No.AC(Int), Kadapa/2013, dt.16-12-2013 of AC (LTU), (CT),Kadapa Division (IR).
8. Rc.No. B1/192/2010-1, dt.9-5-14 of DC, (CT), Chittoor (Dis.Agr).
9. From CCT Lr.No.V3/575/11, dt.09-09-2014 along with Lr.No.B1/ 192/2010, dated 06-06-2014 of DC (CT), Chittoor Division and Representation dt.27-05-2014 of Sri N.Ravinder, ACTO (Retired).
10. Govt Memo.No.12036/Vig.II(3)/2011-4, Dt.26.10.2015.
11. Representation dt.30-11-2015 of Sri N.Ravinder, ACTO(Retired).
12. Govt., Lr.No.12036/Vig.II(3)/2011-7, dt:18-12-2015.
13. APPSC Lr.No.128/DC&C/1/2016, dt:2-3-2016.

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**ORDER:**

Whereas, it has been brought to the notice of the Government that during the surprise check conducted by the Anti Corruption Bureau officials of Tirupathi Range over the Border Check Post of Commercial Taxes, Nagalapuram, Chittoor District on 24-02-2010 noticed that the Staff of Commercial Taxes Department working in the Check Post are indulging in corrupt practices and recommended to initiate disciplinary action against Sri N.Ravinder, former Assistant Commercial Tax Officer, (Suspected Officer-1) (now Retired) and four (4) others.

2. Whereas, the Government after examining the matter have accepted the recommendations made by the Anti Corruption Bureau and requested the Commissioner of Commercial Taxes to initiate common disciplinary proceedings against the Suspected Officers vide reference 2nd read above. Accordingly, the Deputy Commissioner (Commercial Taxes) Chittoor Division and Disciplinary Authority has initiated disciplinary action against the Accused Officers and framed following charges against Sri N.Ravinder, former Assistant Commissioner Tax Officer (now retired) (Suspected Officer-1), vide reference 3rd read above.

Charge.I : Suspected Officer while working as Assistant Commercial Tax Officer at Boarder Check Post in collusion with other staff had engaged the services of one private person, Sri M.Ekambaram @ Chinnabba to act as agent on their behalf and allowed him to collect money illegally from drivers / cleaners of vehicles passing through Check Post and an amount of Rs.630/-

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was seized from the possession of private person during surprise check on 24-02-2010.

Charge.II : Suspected Officer while working as Assistant Commercial Tax Officer at Border Check Post had un-authorizedly employed the private person, Sri K.Viswanatha Reddy to attend to official duties in Check Post.

Charge.III : Suspected Officer while working as Assistant Commercial Tax Officer at Border Check Post had failed to account for the excess amount of Rs.3,530/- found mingled with Government cash available in the cash counters of the Check Post during the surprise check.

Charge.IV: Suspected Officer while working as Assistant Commercial Tax Officer at Border Check Post had failed to give any satisfactory account for unaccounted cash of Rs.6,620/- and Rs.2,620/- that was found hidden in the kitchen cum old record room and behind the seat of Government Servant respectively during the surprise check.

Charge.V: Suspected Officer while working as Assistant Commercial Tax Officer at Border Check Post had failed to account for the amount of Rs.2,540/- that was received at the counter of Check Post from the crew of the vehicles passing through the Check Post during surprise check conducted by Anti Corruption Bureau on 24-02-2010.

Charge.VI: Suspected Officer while working as Assistant Commercial Tax Officer at Border Check Post was found working continuously at the Check Post for 24 hours from 8-00 hours on 23-02-2010 to 8-00 hours on 24-02-2010 and thereby violated the instructions issued by the Commissioner of Commercial Taxes in Lr.No.D2/421/07 and also instructions issued by Deputy Commissioner (Commercial Tax), Chittoor, in Rc.No.B1/1596/2006-1, dated: 27-07-2008.

Charge.VII: Suspected Officer-1 while working as Assistant Commercial Tax Officer at Border Check Post being in charge of Check Post during his shift duty had failed to maintain records of Check Post properly with up to date entries and 25 white blank papers with seal and signatures were found kept in the printer in the Check Post for generation of transit passes in violation of conduct rules.

3. Whereas, the Deputy Commissioner (Commercial Taxes) Chittoor and the Disciplinary authority has examined the Written Statement of Defense submitted by the Charged Officer, in the reference 4th read above. As it is not convincing, a regular inquiry was conducted into the matter by appointing the Inquiry Authority in the reference 5th read above. The Inquiry Authority has submitted the Inquiry Report in respect of all the Accused Officers holding the charges framed against them as not proved, vide reference 7th read above. The Deputy Commissioner (Commercial Taxes) Chittoor after examining the Inquiry Report, observed that though the crew of vehicles passing through the Check Post paid excess amount, the same should not be accepted and further observed that unless there is regular habit of collection of illegal amounts, the excess amounts will not be offered by the crew of vehicles passing through Check Post. Sri N.Ravinder, former Assistant Commercial Tax Officer, (Suspected Officer-1) (now Retired) has failed to account for the excess amount found in the Check Post, hence the Deputy Commissioner (Commercial Taxes) Chittoor has disagreed with the findings of Inquiry Authority with regard to charge Nos.III, IV and V. Accordingly, the disagreement factors were communicated to the Charged Officer-1, calling representation from him, vide reference 8th read above.

4. And Whereas, in respect of Suspected Officer-1, ie.,Sri.N.Ravinder, Assistant Commercial Tax Officer (retired), the Commissioner of Commercial Taxes, Andhra Pradesh, Hyderabad has

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furnished report to the Government along with the representation submitted by Sri N.Ravinder, former Assistant Commercial Tax Officer, (Charged Officer-1), for taking further action against him under Andhra Pradesh Revised Pension Rules, 1980, as he was retired from service on 30-11-2013 on superannuation, vide reference 9th read above.

5. The Government after examining the matter have provisionally decided to impose a penalty of 5% cut in pension for a period of one year against Sri N.Ravinder, former Assistant Commercial Tax Officer, (Charged Officer-1), (Retired) under rule 9 of Andhra Pradesh Revised Pension Rules, 1980, for the irregularities noticed against him during the surprise check conducted by the Anti Corruption Bureau and issued a Show Cause Notice to Sri.N.Ravinder, former Asstant Commecial Tax Officer (Charged Officer-1), vide ref 10th read above.

6. Sri N.Ravinder, former Assistant Commercial Tax Officer, (Charged Officer-1), (Retired) has submitted a representation, in ref 11th read above, in compliance to Show Cause Notice on the proposed punishment, which is not convincing and hence it is decided to confirm the proposed penalty of 5% cut in pension for a period one year against the charged officer.

7. The Andhra Pradesh Public Service Commission have also agreed with the proposal of the Government, in the reference 12th read above (copy enclosed to the Charged Officer).

8. Therefore, Government, after careful examination of the matter, hereby order to impose a penalty of 5% cut in pension for a period one year against Sri N.Ravinder, former Assistant Commercial Tax Officer, (Charged Officer-1), (Retired).

9. The Commissioner of Commercial Taxes, Andhra Pradesh shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Commercial Taxes,
Andhra Pradesh, Hyderabad.
The Deputy Commissioner, Commercial Tax, Chittoor.
The Individual (w.e)
(**through** the Deputy Commissioner, Commercial Tax, Chittoor with a request to serve the order and furnish the served copy with dated acknowledgement to Government for record).

**Copy to:**
The Director General, Anti Corruption Bureau,
Andhra Pradesh, Hyderabad.
The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Hyderabad.
The Principal Secretary,
Andhra Pradesh Public Service Commission, Hyderabad.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER